

**THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO**

WRIT PETITION No.14335 of 2007

Dated : 06-08-2007

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Between :

Sri Binod Kumar

... Petitioner.

And

The Commissioner of Police,
Cyberabad,
Hyderabad and 3 others.

...Respondents.

**THE HON'BLE SRI JUSTICE D.S.R.VARMA
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ORAL ORDER : (per the Hon'ble Sri Justice D.Appa Rao)

Heard learned counsel for the petitioner and the learned Assistant Government Pleader, representing the learned Advocate General appearing for respondents 1 and 2.

2. This writ petition of Habeas Corpus is filed by the petitioner for production of his daughter viz., Ms. Bibechita, who was in the company of the third respondent viz., Varaprasad *alias* Shekhar.

3. In view of the allegations made in the writ petition, notices were issued to the police for production of the alleged detenu and

accordingly, today i.e., on 06-08-2007, the police have produced the alleged detenu along with Sri Varaprasad, third respondent herein. The petitioner and his wife, who are the parents of the alleged detenu are also present.

4. The alleged detenu had categorically stated that she married Sri Varaprasad *alias* Shekhar in Arya Samaj on 29-01-2007 and since then they have been living together as wife and husband. She also stated that she was a major by the date of her marriage.

5. Despite her initial resistance to have any talk with her parents, on the advise of the Court, the alleged detenu had a brief talk with her parents and reported back to this Court that she is not interested to have any further talk with her parents for the present and she expressed her strong belief and desire to live with her husband.

6. In view of the undisputed fact that the alleged detenu was major at the time of marriage and that she had already married Sri Varaprasad *alias* Shekhar, third respondent herein, we are of the view that she had every right to live on her own will and wish and in any manner as she desires.

7. However, the alleged detenu apprehended some harm at the hands of her parents and requested for police assistance. We are of the view that no such assistance need be accorded to her or her husband and his family members for the reason that she is always at liberty to approach the police concerned seeking protection and on such application being made by the alleged detenu, the police concerned would and should necessarily extend the same, in accordance with law.

8. With the above observations and directions, the writ petition is disposed of, at the stage of admission. There shall be no order as to

costs.

JUSTICE D.S.R. VARMA

JUSTICE D. APPA RAO

06-08-2007

Msr

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